

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
JULY 13, 2009
Commissioners Courtroom
One Hamilton County Square
Noblesville, Indiana

The Hamilton County Board of Commissioners met on July 13, 2009 at 1:00 p.m. in Executive Session in Conference Room 1A in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. President Holt called the public session to order at 2:28 p.m. declaring a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Holt led the Pledge of Allegiance.

Executive Session Memoranda

Altman moved to approve the July 13, 2009 Executive Session Memoranda. Dillinger seconded. Motion carried unanimously.

HIGHWAY BUSINESS

Bid Openings [2:00]

Resurface Contract 09-1, Various Roads in Fall Creek, Noblesville and Wayne Townships

Mr. Joel Thurman opened the bids for Resurface Contract 09-1, Various Roads in Fall Creek, Noblesville and Wayne Townships. Form 96, Bid Bond, Non-collusion Affidavit and Financial Statement were included in all bids unless noted.

- Gallagher Asphalt - \$436,741.40

Resurface Contract 09-2, Six Points Road in Adams and Washington Townships

Thurman opened the bids for Resurface Contract 09-2, Six Points Road in Adams and Washington Townships. Form 96, Bid Bond, Non-collusion Affidavit and Financial Statement were included in all bids unless noted.

- Calumet Asphalt - \$328,780.00
- E & B Paving - \$323,438.93
- Grady Brothers - \$339,960.00
- Milestone Contractors - \$345,675.10
- Rieth-Riley - \$334,594.08
- Shelly & Sands - \$342,963.06

Thurman referred both bids to the highway staff for review and recommendation later in today's meeting.

Bid Awards [3:13]

Resurface Contract 09-1, Various Roads in Fall Creek, Noblesville and Wayne Townships

Thurman recommended the bid for Resurface Contract 09-1 be awarded to Gallagher Asphalt. This project is a hot in-place resurfacing project. The bid amount is \$436,741.40. Engineer's Estimate is \$440,696.00. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Resurface Contract 09-2, Six Points Road in Adams and Washington Townships

Thurman recommended the bid for Resurface Contract 09-2 be awarded to E & B Paving, Inc. in the amount of \$323,738.93 with an Engineer's Estimate of \$450,764.00. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

Bridge #469, Olivo Road over I-69

Thurman recommended the bid for construction of Bridge #469, Olivo Road over I-69 be awarded to Beaty Construction in the amount of \$6,784,301.69. The bid includes acceptance of Alternate Number 1. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Bids were opened June 18, 2009. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Acknowledgment of two (2) addendums were included unless noted.

	<u>Base Bid</u>	<u>Alternate 1 (add)</u>
• American Contracting & Services	\$8,491,726.28	\$37,564.50
• Beaty Construction, Inc.	\$6,746,737.19	\$37,564.50
• Calumet Civil Contractors	\$7,082,200.00	\$33,056.76
• Milestone Contractors, LP	\$7,423,000.00	\$33,808.05
• Rieth-Riley Construction Co.	\$6,976,405.00	\$37,564.50
• Walsh Construction Co.	\$7,430,000.00	\$75,129.00

146th Street Road Cut Appeal – Kite Realty [2:29]

Mr. Eric Strickland, Kite Realty, stated they would like to discuss an access point on the southeast corner on 146th Street at Lowe's Way and Greyhound Pass. This will be for a single user bank branch currently being rezoned for this site. They have applied for one access point off of Lowe's Way but highway staff has not recommended a right-in, right-out cut onto 146th Street. One of the challenges of the granted access on Lowe's Way is the distance from the corner of over 150 feet. There is an odd configuration of access currently following the Ordinance. Kite Realty is proposing a right-in, right-out cut off of 146th Street along with improvements to mitigate safety issues.

Mr. Steve Fehrbach and Matt Brown, A&F Engineering, distributed traffic studies of the area. Fehrbach stated the county resolution states we must show an improvement to a roadway in order for a driveway to be granted. The first traffic study looked at current deficiencies and what will happen when the bank is built. The existing a.m. peak level of service at Lowe's Way, Greyhound Pass and 146th Street is Level B and will continue to be Level B when the bank is

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constructed with a driveway onto 146th Street. The p.m. peak level of service currently and after construction is Level C, which will not be reduced at this intersection. There will not be an improvement at this intersection based on this development or any recommended improvements. Kite Realty has committed to installation of a median along 146th Street that would prevent cars from turning left in or out of the proposed bank. The median will create a right-in, right-out for the movie theater for the western most entrance. This will improve the system which will meet the county's requirements. Holt asked what does that do with the movie theater coming back on the County? Fehrbach stated there is a full access to the theater at the next driveway to the east. Recently a court case in Evansville has been overturned that said the development has a right to access not directional access. Mike Howard concurred; inconvenience of access is not a comprehensible taking. Dillinger asked if this puts more pressure on Dublin Drive? Fehrbach stated Dublin Drive has the same pressure because the outbound traffic causes the problem (people coming out of Dublin and wanting to turn left). The theater traffic would increase but typically theater traffic is off peak hours. Dillinger stated if you are forcing the traffic to the east entrance to the movie theater, would it not affect that intersection? Fehrbach stated yes, but he does not know if the cars would be moving down one more intersection or if they were already at that intersection. By adding the median they are making it more secure in the sense of a raised median and the cars can not force their way through. Fehrbach prepared a study if the bank goes in but the driveway on 146th Street is not allowed the study shows the existing level of service (am peak) at Level B of 4.8 seconds, with 146th Street access (am peak) of 15.2 seconds of delay. Without the access that intersection at Lowe's Way will go up to 21.0 seconds. By not allowing the driveway it will increase the delay, level of service will not be changed. There will be a negative effect by not allowing the right-in, right-out. The pm peak hours show Level of Service C with 31.8 seconds of delay, with the access 32.7 seconds, without the access 39.5 seconds of delay. Altman asked what is this parcel currently zoned? Fehrbach stated R-4. The additional cars are because we are converting this parcel to commercial, if a nursing home or another R4 would put the same problems on this road? Fehrbach stated they did not look at a nursing home, they looked at a pharmacy but not an existing zoning. Altman confirmed they are asking for a change in zoning as part of this project? Mr. Strickland stated yes, from the City of Carmel. Fehrbach stated by adding additional cars he can not say he will be improving the level of service but during am peak hours the study shows 14.8 seconds verses with the access of 15.2 seconds. In a sense they have added 0.4 a second of delay for the am peak hour and 0.9 second of delay in the pm peak hour. While the resolution states they must improve the traffic they were not able to overcome that except for the median. There is no decrease in the level of service; the intersection will work the same as it does now. Altman stated the plan shows direct access onto Danbury to your site? Strickland stated Danbury is platted as part of the subdivision and currently connects to the R4 parcel. When they discussed the uses with the residents they discussed the current zoning and what is allowed and then discussed the commercial zoning with the single bank and the residents did not desire to have a connection through to the stub street. The wall of the original ramp project would be constructed around the bank facility and provide a physical barrier. Altman asked if they could build a connection with a variance from the City of Carmel? Strickland stated the access could be utilized under the R4 zoning but they are making a commitment as part of the rezone to not to. Altman stated Carmel could grant a variance to use the existing access where there is a full access point that pulls it away from the intersection. Strickland stated it could but it is in a commitment as part of the rezone to not use it. Altman stated she understands the commitment but you are asking the Commissioners to do things that we have been very upfront saying we don't any more road cuts. Altman views this as a very dangerous situation right after an intersection where you have an existing road cut that you could utilize. It seems to be a developers and city's choice on using what was already designed. Fehrbach stated if the access is used it will increase the left turn movements from a driveway across onto Dublin. In the right-in, right-out case all left turn traffic will be made at a left turn arrow. If we use Dublin and the connector street we will increase the left turn lanes across into that subdivision. Altman suggested using the access on Lowe's Way as a safe traffic movement to exit. Fehrbach stated in exiting Altman is correct but coming in typically people will find the least resistance. If they can come at the first driveway they will not go to Lowe's Way, make a left and make another left into the site.

Mr. John Acceturo, Carmel Councilman, stated the residents of Danbury Estates are adamantly opposed to any more curb cuts onto 146th Street. They do not support Kite's request for the right-in curb for the Key Bank They do support the Kite Development and have no problem with the access in and out of the Kite Development from Lowe's Way. Between Lowe's Way and Carey Road there are eleven curb cuts with no traffic lights. Having additional right-in and right-out will put additional pressure on Danbury residents as far as exiting their subdivision. This is one of the toughest subdivision to exit and make a left turn. The bank will have access based on what has been presented so far to Carmel. The traffic volume in this area is very large in this area. Altman asked if the residents have considered the benefit of connectivity through Danbury to the bank site so they could get to Lowe's Way, if it is allowed? If they can't turn left this would be an amenity to connect Danbury to the bank site for access to Lowe's Way to make a left turn at the light. Acceturo stated he does not know if that has been considered, there was a concern that it could be a reverse situation of the traffic coming out of the bank into the residential subdivision.

Mr. Chris Ellington, resident of Danbury Estates, stated he knows that you can make statistics say anything you want. Ellington invited the Commissioners to come to their neighborhood any morning, seven days a week, and make a left turn between 7:45 a.m. and 8:15 a.m., it is not easy. When they purchased their home 146th Street connected to US 31. There has been a lot of development and their 39 home subdivision has been forgotten about, this has been very frustrating. They have considered a connector and when they built Lowe's they had requested extending Danbury Drive out to Lowe's Way and close off the 146th Street access. 146th Street is extraordinarily dangerous. He has seven (7) children who will be driving and he is scared to death to send them across 146th Street and the rule in his house will be right hand turns only. This is not a safe situation. Adding further curb cuts will only make it worse. Altman asked if he would oppose that connectivity, you asked for it before this might be an accommodation that would make everybody's desire work if they have access onto Lowe's Way. Ellington stated he is a member of the Danbury Homeowners Board and is not speaking for them at this point. Personally he would be ok with an entrance off of Lowe's Way closing to 146th Street. He does not want to see an entrance at both ends making it a cut thru. What we don't want to see is the

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additional bank traffic coming through the neighborhood. There are a lot of children in the neighborhood. Dillinger suggested making Danbury a one-way west. People could come out of the neighborhood onto Lowe's Way but people could not come out of the bank onto Dublin Drive. Ellington stated he does not know if that has been considered. Mr. Brad Davis stated Dublin Drive would be in only for the bank traffic, they would all exit onto Lowe's Way. Ellington stated this helps, it is better than building curb cuts and allowing traffic to flow as it will. Altman stated she does not support any more curb cuts on 146th Street in this area. Altman is trying to figure out how to accommodate everyone's interest. Altman asked Ellington to discuss this option with his neighbors.

Fehrbach stated they could potentially make this driveway a right-in only, leave everything the way it is; no median down 146th Street. They could make a slotted right turn lane so it is right-in only at this location. It will not affect the capacity at Dublin, the median does not need to be installed so it will not affect the movie theater and it will create a right-in only behind a right turn median. Altman asked if there is objection to running it to Danbury? Strickland stated no, only Danbury would be allowed to cross one way to the Key Bank property and use the left turn. Altman stated if they don't close off 146th Street we can't control that. Fehrbach stated right-in only will not affect Dublin Drive, but it won't change it if the argument is that every car coming out of there on a right turn is now an extra car they have to deal with on Dublin Drive and we don't allow that movement to occur by a raised median we only allowed inbound, we can get the bank in. Holt asked if they are dropping the right-out request and make it right-in only and extend Dublin for the residents of Danbury? Dillinger asked if the ingress would be on their right of way? Fehrbach stated yes. Dillinger clarified they would not take anything away from 146th Street? Fehrbach stated he does not know the right of way width but he is pretty sure the highway department would want that access, at least the right turn lane, in their right of way.

Holt asked that this item be tabled and come back in two weeks to give time for the residents to discuss the proposed changes and the engineers to work on the concept. Acceturo stated this is a very small piece of land and he is concerned it would be very confusing for the motorists. Mr. Dave Lucas stated in the original traffic study there were plans for a median with a right-in, right-out but it was orientated slightly west of the movie theater access. The logical alignment would be with the movie theater. Thurman stated a right-in is better than a right-in, right-out. The ultimate from the highway department's standpoint would be no curb cut at all. Holt asked if this should be drawn up and he review it prior to the next meeting? Thurman stated yes. Dave Lucas is the county's contact person for this project. Altman stated she would not support a right-in, right-out at this location, she might consider a right-in if you solve some of the issues of Danbury and they are in agreement. Davis asked to see the traffic study amended to show the option discussed today. Dillinger stated his concern is west bound traffic wanting to get to the bank turning into Dublin Drive and turning into Danbury will be crossing lanes, will that affect this intersection? Fehrbach stated yes.

Private Traffic Control Permits

Altman asked if any private traffic control permits have been allowed? She is still being stopped by the rent-a-cop at the fitness center and we have not approved any traffic control. Altman requested the ordinance be sent certified mail to the fitness center. Lucas stated no private traffic control permits have been issued, he has not done any of the permit work but to his knowledge two requests have been received (Grace Community Church and LA Fitness). Jim Neal and Robb Chadwell are in the process of reviewing the traffic analysis. Altman asked that this be accelerated.

Acceptance of Bonds/Letters of Credit – Highway Department

Altman moved to accept Bonds and Letters of Credit for the highway department. Dillinger seconded. Motion carried unanimously.

- HCHD #B-09-0019 Liberty Mutual Performance Bond Number 354-025-480 for Duncan Robertson, Inc. for Hamilton County Bridge No. 19, west 256th Street over Teter Bridge of Little Cicero Creek in the amount of \$493,818.89.
- HCHD #B-09-0020 Liberty Mutual Payment Bond Number 354-025-480 for Duncan Robertson, Inc. for Hamilton County Bridge No. 19, west 256th Street over Teter Bridge of Little Cicero Creek in the amount of \$493,818.89.
- HCHD #B-01-0020 Fidelity and Deposit Companies Continuation Certificate for Bond Number LPM8536875 for J & M Development Company, Inc. in the amount of \$5,000 to expire March 1, 2010.
- Travelers Casualty and Surety Company of America Continuation Certificate for Vectren Energy Delivery of Indiana for Bond No. 103350590-17 in the amount of \$25,000 to expire July 6, 2010.
- HCHD #B-08-0031 Liberty Mutual Continuation Certificate Bond No. 6582766 for Valenti-Held Contractor/Developer, Inc. in the amount of \$25,000 to expire July 13, 2010.

Release of Bonds/Letters of Credit – Highway Department

Altman moved to approve the release of Bonds and Letters of Credit for the highway department. Dillinger seconded. Motion carried unanimously.

- HCHD #B-05-0038 – Bond Safeguard Insurance Company Subdivision Bond #5016392 issued on behalf of B P Development, LLC for construction of asphalt streets, box culverts and erosion control for the Bellaterra Subdivision in the amount of \$75,280.

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Agreements/Supplements

INDOT Bridge Inventory Inspection

Altman moved to approve the Indiana Department of Transportation (INDOT) – County Bridge Inspection Contract, HCHD #M-09-0022. Dillinger seconded. Motion carried unanimously.

Bridge #469 Reimbursable Utility Agreement

Altman moved to approve a Utility Reimbursement Agreement, HCHD #M-09-0021, with Veolia Water Indianapolis for Hamilton County Bridge #469, Olio Road over Interstate 69. An existing 16” water main needs to be relocated and it lies within their easement. Dillinger seconded. Motion carried unanimously.

Hazel Dell Road Supplemental Agreement No. 3

Thurman requested approval to approve Supplemental Agreement No. 3, HCHD #E-01-0019, with American Structurepoint, Inc. for Hazel Dell Road from 146th Street to SR 32. The supplement removes several design items and adds construction inspection for a net decrease of \$956.64 and \$116,000 for construction inspection. Altman asked if this is part that the City of Noblesville assumed? Thurman stated yes. The last agreement with ACE stated the county would be responsible for design and some right of way engineering with Noblesville taking care of the rest of the right of way services, construction and inspection. Over time Noblesville has picked up design elements that the county did not leave out of our agreement. Noblesville is at the end of their project and they are short of construction inspection money due to the length of the project and because the county did not reduce or pick up some of miscellaneous design items. Altman asked if this nets out? Thurman stated the county will come out with \$50,000. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Olio Road Project Utility Agreement – Hancock Telecom

Thurman requested approval of a County Utility Agreement with Hancock Telecom regarding the Olio Road Project. The agreement is non-reimbursable. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Permission to Advertise

Resurface Contract 09-3, Various Roads in Clay Township

Altman moved to approve permission to advertise for Resurface Contract 09-3, Various Roads in Clay Townships. Bids will be opened August 10, 2009. Dillinger seconded. Motion carried unanimously.

236th Street Right of Way Certification Letter

Thurman requested approval of a right of way certification letter to INDOT for preventative maintenance project on 236th Street. This project may be funded by the American Recovery and Reinvestment Act (ARRA). The project will cover from SR 38 to US 31 in Adams Township. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Road Closure

256th Street Proposed Road Closure

Thurman requested permission to close 256th Street between Six Points Road and Dartown Road beginning on or after Monday, July 27, 2009 for a period of three months for replacement of Bridge #19. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Demolition Work

96th Street and Commerce Drive Project

Thurman requested approval to award demolition of the improvement located at 3599 W. 96th Street, Indianapolis, Indiana for the 96th Street and Commerce Drive project to Rhino Trucking & Excavating. Quotes were received from:

- Rhino Trucking & Excavating - \$28,650.00
- North American Construction Co. - \$30,000.00

Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Title Sheets

146th Street from Hamilton/Boone County Line to Ditch Road
146th Street from Ditch Road to Springmill Road
Bike/Pedestrian Trail along 146th Street from Cherry Tree Road to River Road
Bike/Pedestrian Trail 106th Street from Pennsylvania St. to Westfield Blvd. and College Avenue from Pennsylvania Parkway to 105th Street
236th Street from S.R. 38 to U.S. 31
234th Street from Cicero Corp. Limits to Overdorf Road
234th Street from Overdorf Road to Bridge over White River

Dillinger moved to approve and sign the Title Sheets for the projects listed above. Altman seconded. Davis stated these are proposed ARRA funded projects they are trying to get ready for a late 2009 letting with construction in Spring 2010. Motion carried unanimously.

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2009 Hourly Rates for United Consulting

Davis reported that United Consulting has agreed to hold their 2009 hourly rates at the 2008 level. Dillinger moved to approve the agreement. Altman seconded. Motion carried unanimously.

Monon Pedestrian Bridge over 146th Street

Davis requested approval of letters of support to the Mayors of Carmel and Westfield requesting assistance on matching funds from these entities regarding the pedestrian bridge over 146th Street. Altman moved to approve. Dillinger seconded. Motion carried unanimously. Holt asked if we would take this theory on a railroad crossing? Davis stated the railroad would pay for the crossing. Motion carried unanimously. Altman asked if this is in the stimulus funding request? Davis stated the Monon is not in the highway department's stimulus funding requests. This project has been declined for stimulus funding because it was already on the list of federal aid projects.

Announcements

96th Street and Towne Road

Davis met with the Indianapolis DPW (Department of Public Works) Committee regarding 96th Street and Towne Road. Prior to that meeting he met with Councilor Angela Mansfield who had concerns on the impact on the southwest corner condominium development. Following that discussion and a meeting with the consultant (Beam, Longest & Neff) we presented an option that would preserve some of the trees, which was one of her big concerns. Councilor Mansfield seemed pleased with the option and the procedure we are following for this project. The DPW Committee deferred their decision until the next meeting because another Councilor, Jose Evans, was not able to meet with us at the site and has not weighed in on the project.

INDOT Federal Aid Submittal

Davis stated he has met with INDOT concerning Group 4 submittals for federal aid. The submittal is for a structure replacement on 266th Street over Long Branch Creek. Altman stated Davis has discussed submitting an application for a Tiger Grant, did you decide to move forward with that application? Davis stated they are still working on whether it is feasible to put together a schedule on that large of a project in the timeframe that the Tiger Grant has. The Tiger Grant funding has to be obligated by September 2011. Davis has preliminary submitted a request to amend the TIP (Transportation Enhancement Program) to show intersection improvements along that corridor. Altman stated there is money in the budget for a grant writer this year. They are reviewing if we could submit for a major regional project of more than \$20 million and less than \$300 million. We could submit the Nickel Plate for track replacement and maintenance under this process. Altman has asked Tina Henderson to help with this project, if Davis gets to the point where this grant application is feasible she is able to help with the grant application. We don't want to jeopardize new start money by doing this.

Cell Phone Data Plan Request – Bradley Davis

Davis requested permission to go on the county's data plan for his cell phone he is upgrading to a smart phone so he can send and receive e-mails, currently he only has voice mail. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

COMMUNITY DEVELOPMENT BLOCK GRANT

Resolution to Amend FY08 Action Plan

Mr. Mark McConaghy requested approval of a Resolution to Amend the FY08 Action plan to reduce Hamilton County Area Neighborhood, Inc. (HAND) award amount from \$156,000 to \$111,000 and add a new project in the amount of \$45,000 to improve sanitary sewers at the northwest corner of South Street and Sixth Street in Noblesville to serve six units of affordable senior housing that will be constructed by HAND. The 30-day public comment has expired with no public comments received. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

HAND Contract

Altman moved to approve the contract with HAND for the sewer project. Dillinger seconded. Motion carried unanimously.

PERSONNEL POLICY

Ordinance 7-13-09-A, Amending Personnel Policy

Ms. Sheena Randall requested first reading on Ordinance 7-13-09-A, An Ordinance Amending the Personnel Policy of Hamilton County, Indiana. Howard stated included in the Ordinance is a definitive definition of Notice. Notice is defined as a notice to the employee being personally delivered to them or mailed to the address in our records and Notice to the county being personally delivered to the Human Resources Department or mailed to her office. Dillinger moved to approve. Altman seconded. Altman stated the County Council would like to go to a maximum 20 hour comp time in lieu of the current maximum of 40 hours. The Council recognizes they may have to pay out hours to get this accomplished. Randall stated all facets of this Ordinance will be effective August 1, 2009 with the exception of the comp time amendment which will begin December 14, 2009 which is the beginning of the first 2010 pay period. Motion carried unanimously.

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WELLNESS EVENT

T-Shirts for Wellness Event Volunteers

Randall requested permission to purchase T-shirt for the Wellness Event volunteers, funding is available. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Randall asked if the Commissioners would approve her buying T-shirts to give away as door prizes? The Commissioners denied the request.

Security Issues

Holt asked Randall to add Sheriff Carter as a speaker at the Wellness Event for a 20 minutes presentation on Security issues.

EMPLOYEE HEALTH COVERAGE

Henry, Sandy

Randall requested approval to allow employee Sandy Henry and her dependent Dan to join the county's health plan coverage as of August 1, 2009. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

DRUG COURT

ARRA Grant Application – Drug Court

Mr. Ollie Schierholz, on behalf of Judge Gail Bardach, requested permission to submit a ARRA Grant application for the planning of the establishment of a drug court in and for Hamilton County, Indiana. Altman moved to approve. Dillinger seconded. Motion carried unanimously

DELAWARE TOWNSHIP ASSISTANCE APPEAL

Jones, Traci

Ms. Traci Jones, Delaware Township, appealed the decision of the Delaware Township Trustee denying her rent assistance. Jones stated the denial letter she received was based on her gross salary instead of her net. She did not understand the process, she thought the information given to the Trustee was going to be discussed instead of copied, reviewed and then informed of the decision. Jones stated there were questions on some her expenses but it was included in the denial letter instead of asking her directly so she could explain. Jones still needs rent assistance or she will be evicted. Altman asked how much does she take home per month? Jones stated \$1,227 every two weeks. Rent is \$878.00 per month. The balances of her expenses are a car payment at \$280 per month, utilities, and phones at \$60 per month plus cell phone of \$150 per month. Altman asked if there is a data plan, which could go away. Holt stated the Trustee denied assistance due to wasting resources. The federal poverty guidelines are \$1,214 per month and your monthly income is almost double that amount. Several expenditures listed are inappropriate. Altman stated she needs to show some compelling need that goes over the poverty level, which she has not shown. Altman informed Jones she does not qualify for assistance. Altman moved to deny the appeal. Dillinger seconded. Motion carried unanimously.

FAMILY JUSTICE CENTER PROJECT

ARRA Grant Application – Family Justice Center

Ms. Beth Gehlhausen requested approval of an ARRA Grant application to discuss the possibility of the creation of a Family Justice Center to serve Hamilton County. These monies will fund a community audit to determine service provision, actual providers, gaps in services, efficiency in service provision, etc. They will look at level of interests by identified parties. They are looking at a best practices model in San Diego, California and then look at strategic development and implementation over a two year period. The estimated grant amount is \$300,000 which is probably high. The bulk of the dollars will be closer to \$220,000 to \$225,000. The funds will pay for her services over two years to conduct the survey and location visits. Currently she is working 10 hours per week but estimates she will eventually be working 20 hours per week at \$75.00 per hour. The expenses have not been determined. Dillinger moved to approve. Altman asked if there is a match needed? Gehlhausen stated no match is needed, it is 100% funded. Altman asked if the grant agreement will come back to the Commissioners if it is awarded? Gehlhausen stated yes. Altman seconded. Motion carried unanimously.

COMMISSIONER COMMITTEE REPORTS

Nickel Plate

Altman stated the MPO (Metropolitan Planning Organization) and CIRT (Central Indiana Regional Transit Authority) went through the process of consultant selection for the environmental study, presuming the Nickel Plate proceeds on a federal funding course. Three firms were interviewed with HNTB selected primarily because of their prior work. The Commissioners will be receiving invitations from Ball State University to review the renderings.

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ATTORNEY

Interlocal Agreement with City of Westfield for Unwanted Animals

Altman moved to approve the Interlocal Agreement between the City of Westfield, Indiana and Hamilton County, Indiana, Concerning Unwanted Animals Delivered to the Hamilton County Humane Society for 2009 at a per animal charge of \$138.26. Dillinger seconded. Motion carried unanimously.

E.E. Bennett Drain Drainage Easement

Altman moved to approve the Drainage Easement from Dr. F. Robert Brueckmann on behalf of Bueckmann Family Partners, LP. Dillinger seconded. Motion carried unanimously.

Corrections Complex – Assignment of Contract

Dillinger moved to approve the Assignment of a Contract from McDaniel to McDaniel Fire Systems, LLC. Altman moved to approve. Motion carried unanimously.

Radio Tower Contracts

Altman moved to approve the contracts for the construction of the Hamilton County Radio Tower located at 18161 Presley Drive, Noblesville, Indiana. Dillinger seconded. Motion carried unanimously.

- Comfort Systems USA
- JDH Contracting, Inc.
- Shambaugh & Sons, L.P.
- Retainage Agreement from Shambaugh & Sons, L.P.

Community Corrections Complex Phase III Substantial Completion Certificates

Altman moved to approve the Certificates of Substantial Completion on the Community Corrections Project – Phase III. Dillinger seconded. Motion carried unanimously.

- Gibson-Lewis of Indianapolis, LLC
- Jack Laurie Commercial Floors
- Sullivan & Poore, Inc.
- Delta Temp Corporation
- Gaylor, Inc.
- Matrix Integration
- Keusch Glass, Inc.
- High Concrete Group
- Kalkreuth Roofing and Sheet Metal, Inc.

Community Corrections Complex

Altman stated one of the phases of the Community Corrections complex was converting the Community Corrections building into minimum security, where are we on this project? This project has not been on the Envoy updates. Howard reported those contracts were bid but no Notice to Proceed will be issued until the new Community Corrections facility is complete. Altman asked if those numbers are within the Community Corrections budget? The Envoy reports three phases at 95% complete, is there a fourth phase that is zero percent complete? Carter stated the change over of the old building is about five percent of the final project.

911

Altman asked where are we with 911? Carter reported he does not anticipate being in the new facility until October 2009 with Noblesville coming over January 1, 2010. Carter is preparing a document for the Commissioners and Council on future 911 revenues.

ADMINISTRATIVE ASSISTANT

Riverview Hospital Board Dinner

Swift reported August 10 is not a good date for a dinner meeting with the Riverview Hospital Board. The Commissioners agreed to August 24, 2009.

Transfer Request

Swift requested permission to transfer \$80,000 for a local transit match. This is for a federal earmark that will expire if it is not obligated by September 30, 2009. The 80 percent and local match would be used to acquire small occupancy transit vans that Janus would operate the reverse commute for the Express Bus Service. They are trying to fund the operating funds for the drivers. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

Meal Authorization Forms

Swift requested approval of Meal Authorization Forms from Judge Paul Felix and Susan Peterson. Altman moved to approve. Swift stated the problem is we are authorizing the purchase after the fact. Altman stated the Ordinance states the meals have to be pre-approved. Dillinger would like to know what the dinner meetings were about. Altman moved to table. Dillinger seconded. Motion carried unanimously.

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
JULY 13, 2009
Commissioners Courtroom
One Hamilton County Square
Noblesville, Indiana

Health Annex Building Dedication

The Commissioners agreed to have Envoy prepare a dedication ceremony for the new Health Annex building.

Community Corrections Advisory Board

Dillinger moved to appoint George Buskirk, IV to the Community Corrections Advisory Board. Altman seconded. Altman stated Ralph Watson has approached Judy Johnson to fill this position. Motion carried unanimously.

Legacy Fund 2010 Budget

Altman stated she would vote to give \$50,000 to the Legacy Fund for 2010 and they can use it for what program they deem most appropriate. Altman stated her personal opinion on SNAP is they should go to the Council on Alcohol and Drug Abuse because they receive the dollars for alcohol and drug abuse. Those monies should not come from County General. Altman moved to contract with The Legacy Fund. Holt stated he would support the Life and Learning Center as opposed to SNAP. If we want SNAP to go to the Council on Alcohol and Drugs we should tell them that is what we want them to do. Altman stated both are equally important and the decision should be left to The Legacy Fund. Dillinger stated he does not think we should give them any money. Holt seconded. Altman and Holt approved. Dillinger opposed. Motion carried.

NACO National Convention

Altman moved to appoint Kent Ward as the Hamilton County's delegate to the NACCO National Convention (National Association of Counties). Dillinger seconded. Motion carried unanimously.

AIC State Convention

Swift will make hotel reservations for the Commissioners to attend the AIC (Association of Indiana Counties) State Convention.

Golden Corral Employee Discount

Swift reported Golden Corral is offering Hamilton County employees a 10% discount.

Jackson Township Fire Officials

Swift stated he is working on setting a date for the Commissioners to meet with the Jackson Township Fire Officials.

Building Appraisals

Swift stated Bob Fearn is requesting approval of a contract with Buckland & Associates for an insurance reappraisal update of the 15 buildings owned by Hamilton County. The buildings were appraised last year. The Commissioners concurred that there is no reason to have them reappraised. Howard stated our Bonds require an annual updated appraisal on the Judicial Center and the Jail. Holt moved to let Mike Howard advise Bob Fearn as to which buildings need appraised. The Commissioners agreed. Howard requested the Commissioners reconsider their decision on the updated insurance appraisals. The total fee for the 15 appraisals is \$750.00 with a \$75 per hour travel time charge. Howard recommended the Commissioners accept the entire contract for insurance purposes. Altman so moved. Dillinger seconded. Motion carried unanimously.

AUDITOR

2010 Proposed Salaries

Dillinger moved to approve the proposed 2010 salaries for county employees. Altman seconded. Motion carried unanimously.

Compensation Agreements for Clerk and Surveyor

Altman moved to approve the Compensation Agreement(s) in Lieu of Statutory Fees between Peggy Beaver as Clerk of the Circuit Court and Kenton Ward as Hamilton County Surveyor. Dillinger seconded. Motion carried unanimously.

Clerk's Monthly Report

Altman moved to approve the Monthly Report of the Clerk of the Circuit Court dated May 31, 2009. Dillinger seconded. Motion carried unanimously.

Altman stated the Clerk's report included a memo listing outstanding checks from 2005-2006 were voided and then added back into the trust fund balance; just because someone did not cash the check does that make that obligation go away? Ms. Dawn Coverdale stated yes. Howard reported the State Board of Accounts, after two years, requires voiding those checks, if people come back for the payment will address those on a case by case basis.

Treasurer's Monthly Report

Altman moved to approve the Treasurer's Monthly Report dated June 30, 2009. Dillinger seconded. Motion carried unanimously.

Capital Asset Notification Forms

Altman moved to table the Capital Asset Notification Forms to give her time to review them. Holt seconded. Motion carried unanimously.

MINUTES
HAMILTON COUNTY BOARD OF COMMISSIONERS
JULY 13, 2009
Commissioners Courtroom
One Hamilton County Square
Noblesville, Indiana

Bonds/Letters of Credit – Drainage Board

Dillinger moved to accept Bonds and Letters of Credit for the drainage board. Altman seconded. Motion carried unanimously.

- HCDB-2009-00013 – Western Surety Company Performance Bond No. 70736817 for vegetation control on drains in the amount of \$5,778.50 (PACC Co., Inc.).
- HCDB-2009-00015 – Western Surety Company Performance Bond No. 58661518 for vegetation control on drains in the amount of \$10,062.00 (Townsend).

Payroll and Vendor Claims

Altman moved to approve the Payroll Claims for the period of June 1-14, 2009 paid June 26, 2009 and June 15-28, 2009 paid July 7, 2010; and Vendor Claims to be paid July 14, 2009. Dillinger seconded. Motion carried unanimously.

Altman moved to adjourn. Dillinger seconded. Motion carried unanimously.

Commissioner Correspondence

Cost Allocation Plan – Quarterly General Fund Reimbursement
Animal Control quarterly Report (April – June 2009)
Structurepoint Correction of Stimulus Package 106th Street Trail Project
IDEM Receipt of Air Permit Application
 Berns Construction Co., Inc.
IDEM Receipt of Sewer Permit Application
 Bridge Building in Fishers
IDEM Notice of 30-Day Public Comment Period for Renewal of Operating Permit
 Indiana Ductile, LLC
IDEM Notice of Permit Modification to Operating Permit Renewal
 Duke Energy – Noblesville Generating Station
IDEM Notice of Sanitary Sewer Construction Permit Application
 Thorpe Creek Force Main Extension – Fishers
IDEM Portable Source Relocation Letter
 Berns Construction Company
IDEM Part 70 Operating Permit Renewal
 Duke Energy – Noblesville Generating Station

Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Dawn Coverdale, Auditor
Fred Swift, Administrative Assistant to Commissioners
Kim Rauch, Administrative Assistant to Auditor
Michael Howard, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Joel Thurman, Highway Project Engineer
Brandi Wariner, Highway Public Service Representative
Dave Lucas, Highway Staff Engineer
Mark Fisher, Highway Project Engineer
Christopher Burt, Highway Engineering Technician
Tim Knapp, Highway Right-of-Way Manager
Matt Knight, Highway Bridge Program Engineer
Faraz Khan, Highway Staff Engineer
Kathy Howard, Highway Department Administrative Manager
Bob Davis, Highway Superintendent
Eric Strickland, Kite Realty
Steve Fahrbach, A&F Engineering
Matt Brown, A&F Engineering
Chris Ellington, Citizen
Denny Neidigh, CMT, Inc.
John Accetturo, Carmel City Councilman
Patti Smith, Beam, Longest & Neff
Floyd Burroughs, FEBA
Clinton Sparks, American Structurepoint
Becki Wise-Kent, USI
Jayson Earlywine, Resident
Don Knorr, Strand Associates
Jeff Hill, Corradino LLC
Olie Schierholz, Court Administration
Debbie Driskell, Delaware Township Trustee
Jan McCrory, Delaware Township Trustee

Traci Jones, Delaware Township Assistance Appeal
Sheena Randall, Human Resources Director
Mark McConaghy, Noblesville Housing Authority
Beth Gehlhausen, Grant Application

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Dawn Coverdale, Auditor